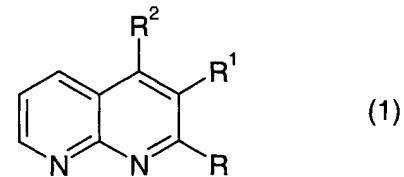
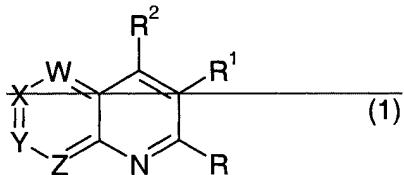


AMENDMENTS TO THE CLAIMS

1. (Currently amended) The compound of the general formula (1):



wherein

~~W, X and Y are all CH and Z is N;~~

R is halo;

R¹ is aryl, heteroaryl, morpholino, piperidino or pyrrolidino;

R² is NR³R⁴,

wherein R³ and R⁴ are independently H, C₁₋₈ alkyl, C₂₋₈ alkenyl, C₂₋₈ alkynyl, aryl, aryl(C₁₋₈)alkyl, C₃₋₈ cycloalkyl, C₃₋₈ cycloalkyl (C₁₋₆)alkyl, heteroaryl, heteroaryl(C₁₋₈)alkyl, NR⁵R⁶, provided that not both R³ and R⁴ are H or NR⁵R⁶; or

or wherein R³ and R⁴ together form a C₃₋₇ alkylene or C₃₋₇ alkenylene chain optionally substituted with one or more C₁₋₄ alkyl or C₁₋₄ alkoxy groups; or,

or wherein R³ and R⁴ together with the nitrogen atom to which they are attached, R³ and R⁴ form a morpholine, thiomorpholine, thiomorpholine S-oxide or thiomorpholine S-dioxide ring or a piperazine or piperazine N-(C₁₋₄)alkyl (especially N-methyl) ring; and R⁵ and R⁶ are independently H, C₁₋₈ alkyl, C₂₋₈ alkenyl, C₂₋₈ alkynyl, aryl, aryl(C₁₋₈)alkyl, C₃₋₈ cycloalkyl, C₃₋₈ cycloalkyl(C₁₋₆)alkyl, heteroaryl or hetero-aryl(C₁₋₈)alkyl;

and wherein

~~any of the foregoing said~~ alkyl, alkenyl, alkynyl or cycloalkyl groups or moieties (~~other than for R⁸~~) are being optionally substituted with halogen, cyano, C₁₋₆alkoxy, C₁₋₆alkylcarbonyl, C₁₋₆alkoxycarbonyl, C₁₋₆haloalkoxy, C₁₋₆alkylthio, tri(C₁₋₄)alkylsilyl, C₁₋₆alkylamino or C₁₋₆dialkylamino;

said any of the foregoing morpholine, thiomorpholine, piperidine, piperazine and pyrrolidine rings are being optionally substituted with C₁₋₄ alkyl (especially methyl); and

any of the foregoing said aryl or heteroaryl groups or moieties are being optionally substituted with one or more substituents selected from the group consisting halo, hydroxy, mercapto, C₁₋₆alkyl, C₂₋₆alkenyl, C₂₋₆alkynyl, C₁₋₆alkoxy, C₂₋₆alkenyloxy, C₂₋₆alkynyloxy, halo(C₁₋₆)alkyl, halo(C₁₋₆)alkoxy, C₁₋₆alkylthio, halo(C₁₋₆)alkylthio, hydroxy(C₁₋₆)alkyl, C₁₋₄alkoxy(C₁₋₆)alkyl, C₃₋₆cycloalkyl, C₃₋₆cycloalkyl(C₁₋₄)alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, -NR¹¹¹"R¹¹¹", -NHCOR¹¹¹", -NHCONR¹¹¹"R¹¹¹", -CONR¹¹¹"R¹¹¹", -SO₂R¹¹¹", -OSO₂R¹¹¹", -COR¹¹¹", -CR¹¹¹"=NR¹¹¹" or and -N=CR¹¹¹"R¹¹¹", in which R¹¹¹ and R¹¹¹ are independently hydrogen, C₁₋₄ alkyl, halo(C₁₋₄)alkyl, C₁₋₄ alkoxy, halo(C₁₋₄)alkoxy, C₁₋₄ alkylthio, C₃₋₆ cycloalkyl, C₃₋₆ cycloalkyl(C₁₋₄) alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C₁₋₄ alkyl or C₁₋₄ alkoxy.

2. (Currently amended) A compound according claim 1 wherein:

(A) R³ is C₁₋₈ alkyl, halo(C₁₋₈) alkyl, hydroxy(C₁₋₈)alkyl, C₁₋₄ alkoxy(C₁₋₈)alkyl, C₁₋₄ alkoxyhalo(C₁₋₈)alkyl, tri(C₁₋₄)alkylsilyl(C₁₋₆)alkyl, C₁₋₄ alkylcarbonyl(C₁₋₈)alkyl, C₁₋₄ alkylcarbonylhalo(C₁₋₈)alkyl, phenyl(C₁₋₄) alkyl, C₂₋₈ alkenyl, halo(C₂₋₈)alkenyl, C₂₋₈ alkynyl, C₃₋₈ cycloalkyl optionally substituted with chloro, fluoro or methyl, C₃₋₈ cycloalkyl-(C₁₋₄) alkyl, phenylamino, piperidino or morpholino, the phenyl ring of phenylalkyl or phenylamino being optionally substituted with one, two or three substituents selected from halo, C₁₋₄ alkyl, halo(C₁₋₄)alkyl, C₁₋₄ alkoxy and halo (C₁₋₄)alkoxy; and R⁴ is H, C₁₋₄ alkyl, halo(C₁₋₄)alkyl or amino; or

(B) R³ and R⁴ together form a C₃₋₇ alkylene or C₃₋₇ alkenylene chain optionally substituted with methyl; or;

(C) R³ and R⁴, together with the nitrogen atom to which they are attached, R³ and R⁴ form a morpholine, thiomorpholine, thiomorpholine S-oxide or thiomorpholine S-dioxide ring or a piperazine or piperazine N-(C₁₋₄)alkyl (especially N-methyl) ring, in which the morpholine or piperazine rings are optionally substituted with methyl.

3. (Currently amended) A compound according to claim 1 claims wherein R¹ is phenyl optionally substituted with from one to five halogen atoms or with from one to three substituents selected from halo, C₁₋₄ alkyl, halo(C₁₋₄)alkyl, C₁₋₄ alkoxy or halo(C₁₋₄)alkoxy, pyridyl optionally substituted with from one to four halogen atoms or with from one to three substituents selected from halo, C₁₋₄ alkyl, halo(C₁₋₄)alkyl, C₁₋₄ alkoxy or halo(C₁₋₄)alkoxy, 2- or 3-thienyl optionally substituted with from one to three halogen atoms or with from one to three substituents selected from halo,

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C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{1-4} alkoxy or halo(C_{1-4})alkoxy, or piperidino or morpholino both optionally substituted with one or two methyl groups.

4. (Original) A compound according to claim 3 wherein R^1 is 2,6-difluorophenyl, 2-fluoro-6-chlorophenyl, 2,5,6-trifluorophenyl, 2,4,6-trifluorophenyl, 2,6-difluoro-4-methoxyphenyl or pentafluorophenyl.

5. Cancelled.

6. (Currently amended) A compound according to claim 1 wherein: W , X and Y are all CH and Z is N;

~~R is halo; R^1 is aryl, heteroaryl, morpholino, piperidino or pyrrolidine; R^2 is NR^3R^4 ,~~

(A) R^3 is C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{2-4} alkenyl, C_{3-6} cycloalkyl, C_{3-6} cycloalkyl(C_{1-4})alkyl or phenylamino in which the phenyl ring is optionally substituted with one, two or three substituents selected from halo, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{1-4} alkoxy and halo(C_{1-4})alkoxy; and R^4 is H, C_{1-4} alkyl or amino; or

(B) or whererin R^3 and R^4 together form a C_{4-6} alkylene chain optionally substituted with C_{1-4} alkyl or C_{1-4} alkoxy; or

(C) or wherein R^3 and R^4 , together with the nitrogen atom to which they are attached, R^3 and R^4 form a morpholine, thiomorpholine, thiomorpholine S-oxide or thiomorpholine S-dioxide ring or a piperazine or piperazine N -(C_{1-4})alkyl (especially N -methyl) ring; and wherein any of the foregoing said alkyl, alkenyl, alkynyl or cycloalkyl groups or moieties being are optionally substituted with halogen, cyano, C_{1-6} alkoxy, C_{1-6} alkylcarbonyl, C_{1-6} alkoxy carbonyl, C_{1-6} haloalkoxy, C_{1-6} alkylthio, tri(C_{1-4})alkylsilyl, C_{1-6} alkylamino or C_{1-6} dialkylamino; and wherein said any of the foregoing said morpholine, thiomorpholine, piperidine, piperazine and pyrrolidine rings being are optionally substituted with C_{1-4} alkyl (especially methyl);

and wherein any of the foregoing said aryl or heteroaryl groups or moieties being are optionally substituted with one or more substituents selected from the group consisting of halo, hydroxy, mercapto, C_{1-6} alkyl, C_{2-6} alkenyl, C_{2-6} alkynyl, C_{1-6} alkoxy, C_{2-6} alkenyloxy, C_{2-6} alkynyoxy, halo(C_{1-6})alkyl, halo(C_{1-6})alkoxy, C_{1-6} alkylthio, halo(C_{1-6})alkylthio, hydroxy(C_{1-6})alkyl, C_{1-4} alkoxy(C_{1-6})alkyl, C_{3-6} cycloalkyl, C_{3-6} cycloalkyl(C_{1-4})alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, - $NR'''R'''$, - $NHCOR'''$, - $NHCONR'''R'''$, - $CONR'''R'''$, - SO_2R''' , - OSO_2R''' , - COR''' , - $CR'''=NR'''$ or $-N=CR'''R'''$, in which R''' and R''' are independently hydrogen, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{1-4} alkoxy, halo(C_{1-4})alkoxy, C_{1-4} alkylthio, C_{3-6} cycloalkyl, C_{3-6}

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cycloalkyl(C₁₋₄)alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C₁₋₄ alkyl or C₁₋₄ alkoxy.

7. (Currently amended) A compound according to claim 1 wherein R¹ is optionally substituted phenyl, one of W, X and Y are all CH and Z is N;

R is halo;

R¹ is optionally substituted phenyl;

R² is NR³R⁴,

R³ and R⁴ are independently H, C₁₋₈ alkyl, C₂₋₈ alkenyl, C₂₋₈ alkynyl, aryl, aryl(C₁₋₈)alkyl, C₃₋₈ cycloalkyl, C₃₋₈ cycloalkyl(C₁₋₆)alkyl, heteroaryl, heteroaryl(C₁₋₈)alkyl, NR⁵R⁶, provided that not both R³ and R⁴ are H or NR⁵R⁶, or

R³ and R⁴ together form a C₃₋₇ alkylene or C₃₋₇ alkenylene chain optionally substituted with one or more C₁₋₄ alkyl or C₁₋₄ alkoxy groups, or,

together with the nitrogen atom to which they are attached, R³ and R⁴ form a morpholine, thiomorpholine, thiomorpholine S-oxide or thiomorpholine S-dioxide ring or a piperazine or piperazine N-(C₁₋₄)alkyl (especially N-methyl) ring; and

R⁵ and R⁶ are independently H, C₁₋₈ alkyl, C₂₋₈ alkenyl, C₂₋₈ alkynyl, aryl, aryl(C₁₋₈)alkyl, C₃₋₈ cycloalkyl, C₃₋₈ cycloalkyl(C₁₋₆)alkyl, heteroaryl or heteroaryl(C₁₋₈)alkyl;

any of the foregoing alkyl, alkenyl, alkynyl or cycloalkyl groups or moieties being optionally substituted with halogen, cyano, C₁₋₆ alkoxy, C₁₋₆ alkylcarbonyl, C₁₋₆ alkoxy carbonyl, C₁₋₆ haloalkoxy, C₁₋₆ alkylthio, tri(C₁₋₄)alkylsilyl, C₁₋₆ alkylamino or C₁₋₆ dialkylamino; any of the foregoing morpholine, thiomorpholine, piperidine, piperazine and pyrrolidine rings being optionally substituted with C₁₋₄ alkyl (especially methyl), and any of the foregoing aryl or heteroaryl groups or moieties, including the phenyl group of R¹, being optionally substituted with one or more substituents selected from halo, hydroxy, mercapto, C₁₋₆ alkyl, C₂₋₆ alkenyl, C₂₋₆ alkynyl, C₁₋₆ alkoxy, C₂₋₆ alkenyloxy, C₂₋₆ alkynyloxy, halo(C₁₋₆)alkyl, halo(C₁₋₆)alkoxy, C₁₋₆ alkylthio, halo(C₁₋₆)alkylthio, hydroxy(C₁₋₆)alkyl, C₁₋₄ alkoxy(C₁₋₆)alkyl, C₃₋₆ cycloalkyl, C₃₋₆ cycloalkyl(C₁₋₄)alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, NR⁷R⁸, NHCOR⁹, NHCONR¹⁰R¹¹, CONR¹²R¹³, SO₂R¹⁴, OSO₂R¹⁵, COR¹⁶, CR¹⁷=NR¹⁸ or N=CR¹⁹R²⁰, in which R⁷ and R⁸ are independently hydrogen, C₁₋₄ alkyl, halo (C₁₋₄)alkyl, C₁₋₄ alkoxy, halo(C₁₋₄)alkoxy, C₁₋₄ alkylthio, C₃₋₆ cycloalkyl, C₃₋₆ cycloalkyl(C₁₋₄)alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C₁₋₄ alkyl or C₁₋₄ alkoxy.

8. (Currently amended) A compound according to claim 1 wherein: ~~W, X and Y are all CH and Z is N; R is halo;~~

R^1 is phenyl optionally substituted with from one to five halogen atoms or with from one to three substituents selected from the group consisting of halo, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{1-4} alkoxy or halo(C_{1-4})alkoxy, pyridyl optionally substituted with from one to four halogen atoms or with from one to three substituents selected from halo, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{1-4} alkoxy or halo(C_{1-4})alkoxy, 2- or 3-thienyl optionally substituted with from one to three halogen atoms or with from one to three substituents selected from halo, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{1-4} alkoxy or halo(C_{1-4})alkoxy, or piperidino or morpholino both optionally substituted with one or two methyl groups; and

R^2 is NR^3R^4 ;

wherein R^3 is C_{1-8} alkyl, halo(C_{1-8})alkyl, hydroxy(C_{1-8})alkyl, C_{1-4} alkoxy(C_{1-8})alkyl, C_{1-4} alkoxyhalo(C_{1-8})alkyl, tri(C_{1-4})alkylsilyl(C_{1-6})alkyl, C_{1-4} alkylcarbonyl(C_{1-8})alkyl, C_{1-4} alkylcarbonylhalo(C_{1-8})alkyl, phenyl(C_{1-4})alkyl, C_{2-8} alkenyl, halo(C_{2-8})alkenyl, C_{2-8} alkynyl, C_{3-8} cycloalkyl optionally substituted with chloro, fluoro or methyl, C_{3-8} cycloalkyl(C_{1-4})alkyl, phenylamino, piperidino or morpholino, the phenyl ring of phenylalkyl or phenylamino being optionally substituted with one, two or three substituents selected from halo, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{1-4} alkoxy and halo(C_{1-4})alkoxy; and R^4 is H, C_{1-4} alkyl, halo(C_{1-4})alkyl or amino₂₅; or

or wherein R^3 and R^4 together form a C_{3-7} alkylene or C_{3-7} alkenylene chain optionally substituted with methyl, or, together with the nitrogen atom to which they are attached, R^3 and R^4 form a morpholine, thiomorpholine, thiomorpholine S-oxide or thiomorpholine S-dioxide ring or a piperazine or piperazine N-(C_{1-4})alkyl (especially *N*-methyl) ring, in which the morpholine or piperazine rings are optionally substituted with methyl.

9. (Currently amended) A compound according to claim 1 wherein: ~~one of W, X and Y are all CH and Z is N;~~

R is halo;

R^1 is phenyl optionally substituted with from one to five halogen atoms or with from one to three substituents selected from halo, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{1-4} alkoxy or halo(C_{1-4})alkoxy; and
 R^2 is NR^3R^4 ;

wherein R^3 is C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{2-4} alkenyl, C_{3-6} cycloalkyl, C_{3-6} cycloalkyl(C_{1-4})alkyl or phenylamino in which the phenyl ring is optionally substituted with one, two or three substituents selected from halo, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{1-4} alkoxy and halo(C_{1-4})alkoxy; and R^4 is H, C_{1-4} alkyl or amino₂₅; or

or wherein R³ and R⁴ together form a C₄₋₆ alkylene chain optionally substituted with methyl;

or,

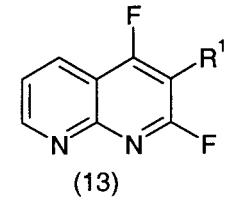
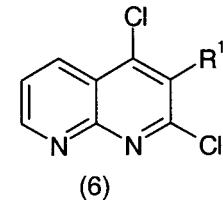
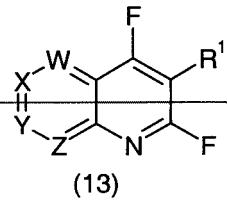
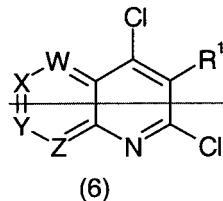
or wherein R³ and R⁴, together with the nitrogen atom to which they are attached, R³ and R⁴ form a morpholine ring.

10. (Currently amended) A process for preparing a compound of the general formula (1) according to claim 1 wherein R is chloro or fluoro, comprising:

~~-one of R is chloro or fluoro;~~

~~-and R² is NR³R⁴ and W, X, Y, Z, R¹, R³ and R⁴ are as defined in claim 1, which comprises~~

(A) reacting an amine of the general formula NR³R⁴ with a compound of the general formula (6) or (13):



wherein R¹, R³ and R⁴ are as defined in claim 1, wherein W, X, Y, Z and R¹ are as defined in claim 1.

11. (Original): A plant fungicidal composition comprising a fungicidally effective amount of a compound as defined in claim 1 and a suitable carrier or diluent therefor.

12. (Previously presented) A method of combating or controlling phytopathogenic fungi which comprises applying to a plant, to a seed of a plant, to the locus of the plant or seed or to soil or to any other plant growth medium, a fungicidally effective amount of a compound according to claim 1.